STATE OF COLORADO

OFFICE OF STATE PLANNING AND BUDGETING

111 State Capitol Building Denver, Colorado 80203 (303) 866-3317

OFFICE OF POLICY AND INITIATIVES

136 State Capitol Building Denver, Colorado 80203 (303) 866-5800



Bill Ritter Jr. Governor Todd Saliman Director, OSPB Ken Weil Director, OPI

June 12, 2009

Dear Higher Education CEO:

As part of Colorado's application for State Fiscal Stabilization Funds (SFSF) under the American Recovery and Reinvestment Act of 2009 (ARRA), the State gave a series of assurances to the Department of Education regarding the pursuit of certain education reforms and the use of the funds. Similarly, the ARRA authorizes the Governor to require an application and assurances from institutions of higher education in order for those institutions to receive SFSF funds. As the Governor's designees for administering the SFSF account, we wish to advise you that your institution of higher education will need to sign and return this letter providing the following assurances on behalf of your institution:

- 1. The ARRA directs that funds provided to institutions of higher education under the SFSF be used to mitigate tuition increases. We hope that your institution of higher education is already making a good faith effort to attempt to comply with the guidance outlined in the tuition footnote veto message stating tuition increases for undergraduate resident students be no more than an 9.0% per student, or per credit hour, and for level 1 and level 2 undergraduate resident students with demonstrated financial need effective tuition increases be limited to 5.0% through financial aid. As a condition of receiving funds under the SFSF, your assurance is required that to the extent practicable your institution will use SFSF funds to mitigate the need to raise tuition and fees for in-state students in FY 2009-10 and FY 2010-11.
- 2. As a condition of receiving SFSF funding, the State must comply with the strict ARRA accountability and reporting requirements, which includes reporting obligations from the State to the Department of Education in accordance with guidance issued by the Office of Management and Budget and to the Government Accountability Office. As a condition of receiving funds under the SFSF, your assurance is required that your institution will meet the terms of all reporting and accountability requirements under the ARRA and SFSF at such time and in such manner as the Governor's office or the Colorado Department of Higher Education may require in order to comply with federal reporting requirements.
- 3. ARRA prohibits an institution of higher education from using SFSF funds for the following purposes: increasing its endowment; maintenance of systems, equipment, or facilities; renovation or repairs of facilities that are primarily used for athletic contests or other events for which admission is charged to the general public; renovations or repairs of facilities that are used for religious purposes; or the construction of a gambling establishment, aquarium, zoo, golf course, or swimming pool. Additionally, pursuant to the Governor's March 24, 2009 letter to the Joint Budget Committee on plans for the Education Stabilization Funds,

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these funds are not to be used on any capital construction projects. Your assurance is required that you will not use SFSF funds for any of these prohibited purposes.

Please sign the affirmation below and return it to the Department of Higher Education (DHE) by Friday, June 19, 2009. Thank you very much.

Sincerely yours. Todd Saliman Director	Ken Weil Director
Office of State Planning & Budgeting	Governor's Office of Policy and Initiatives
	(institution) makes the following assurances:
tuition and fees for in-state students; 2) this inst transparency, and reporting requirements for the	
prohibited by ARRA.	
Signature of President	/Chancellor Date